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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/536,705

Filing Date June 26, 2004

First Named Inventor Gaetano T. Montelione

Art Unit Unknown

Examiner Name Unknown

Attorney Docket Number 70439.00003

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	See Remarks section.
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

**Remarks**

1. Petition for Revival of An Application for Patent abandoned Unavoidably (PTO/SB/66)
2. Petition to Revive The Instant Application
3. Exhibit A (copy of response to notification of missing requirements)
4. Petition for Revival of An Application for Patent Abandoned Unintentionally (PTO/SB/64)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Fox Rothschild LLP		
Signature			
Printed name	Shahnam Sharareh		
Date	August 23, 2006	Reg. No.	59,040

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Olga Iris Ramirez	Date	August 23, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Old Ref. No.: RUT0001-00US  
New Ref. No.: 70439-00003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
UNITED STATES RECEIVING OFFICE (RO/US)**

In re International application of :  
RUTGERS, THE STATE UNIVERSITY, et al. :  
US Application No.: 10/536,705 : Date: March 8, 2006  
International Application No.: PCT/US04/20244 :  
Filed: 26 June 2004 (26.06.2004) :  
Title: RIBOSOMAL RNA METHYLTRANSFERASES :  
RlmA: TARGET VALIDATION AND :  
PROCESSES FOR DEVELOPING AN :  
INHIBITOR ASSAY AND IDENTIFICATION :  
OF CANDIDATE INHIBITORS :

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Dear Sir:

This letter is in response to Notification of Missing Requirements with respect to above-identified application sent by the U.S.P.T.O. on January 9, 2006.

Please enter the Amendment enclosed with this Response. The listings of the claims in the Amendment replaces all previous listings of the claims in this application. Accordingly, Applicants respectfully submit that they should not be required to pay the fee for 11 independent claims over 3 (\$1100) and the fee for 73 total claims over 20 (\$1825) totaling \$2925. Applicants respectfully submit that no new matter has been added with this Amendment.

Also, attached is the Oath and Declaration signed by the inventors in compliance with 37 C.F.R. 1.497, identifying the application by the International application number and international filing date.

Further, please find enclosed a copy of the Notification of Missing Requirements mailed on January 9, 2006.

The U.S.P.T.O. is authorized to charge the \$65 small entity fee in compliance with 37 C.F.R. 1.27 and the \$500 fee for the Amendment to the claims enclosed with this Response, to Deposit Account No. 50-1943, if the latter fee has not been charged previously. If there are any questions, the Applicants' agent can be reached at 609-844-3021.

Dated: March 8, 2006

Respectfully submitted,

By Vasilev

Vyacheslav Vasilyev

Registration No. 58,154

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Agent for Applicant



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address COMMISSIONER FOR PATENTS  
P.O. Box 1450  
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www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/536,705	FIRST NAMED APPLICANT Gaetano Montelione	ATTY. DOCKET NO. RUT0001-00US
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INTERNATIONAL APPLICATION NO. PCT/US04/20244
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I.A. FILING DATE 06/26/2004	PRIORITY DATE 06/27/2003
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48394  
NORTON & DIEHL, LLC  
77 BRANT AVE  
SUITE 110  
CLARK, NJ 07066

CONFIRMATION NO. 9294

371 FORMALITIES LETTER

\*OC000000017806045\*

Date Mailed: 01/09/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 05/27/2005
- Copy of the International Search Report filed on 05/27/2005
- Copy of Article 19 Amendments filed on 05/27/2005
- Small Entity Statement filed on 05/27/2005
- U.S. Basic National Fees filed on 05/27/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$2925 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$2990 for a Small Entity

• \$65 Surcharge.

Additionally the following defects have been observed:

- Article 19 amendments have not been entered because Not Matching Originally Filed claims(Original claims total 93) Article 19 only addressed 69 claims.
- Total additional claim fee(s) for this application is \$ 2925
  - \$1100 for 11 independent claims over 3.
  - \$1825 for 73 total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/536,705	PCT/US04/20244	RUT0001-00US